

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
November 4, 2007
Tribal Court Room 7500 Odawa Circle

Closed Session: none

Call to Order: Meeting was called to order at: 9:35 a.m.

Opening Ceremony: Melvin L. Kiogima.

Council Present: Legislative Leader Beatrice A. Law, Secretary Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr., Councilor Marvin Mulholland, Councilor Shirley Oldman

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount.

Executive Officials and Staff Present: Executive Assistant Rebecca Atkinson.

Guests: Carla McFall, Fred Kiogima, Marcia Sutton, Rita Shananaquet, Mary Roberts, Dean W. Samuels, Roger Emery, Carol McFall, Grace Zerbe

Motion made by Councilor Oldman and supported by Councilor Yellowbank to adopt the agenda for November 4, 2007 with additions.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Oldman to approve the minutes of October 21, 2007 with corrections.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Harrington and supported by Secretary Gasco Bentley to adopt Tribal Resolution: The Treasurer shall work with the CFO to obtain a copy of the audit conducted concerning previous Chairman's credit card use and conduct an internal audit to determine the amount of legal fees then Chairman authorized without authority from Tribal Council.

Roll Call Vote: Councilor Harrington-yes, Councilor Kiogima-no, Councilor McNamara-yes, Councilor Mulholland-no, Councilor Oldman-no, Councilor Yellowbank-yes, Treasurer Chingwa-no, Secretary Gasco Bentley-yes, Legislative Leader Law-no

Motion failed.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to place on the Legislative Calendar proposed legislation Administrative Procedures Act.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

10:15 a.m. Recess called.

10:24 a.m. Meeting reconvened.

Motion made by Councilor Yellowbank and supported by Councilor Harrington to pass Waganakising Odawak Statute Michelle Chingwa Education Assistance Act Roll Call Vote: Councilor Harrington-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Yellowbank to table section VI, items, "a - g" until after the Legislative Reports.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to adopt Tribal Resolution Odawa Hotel 2008 Liquor License.

Roll Call Vote: Councilor Harrington-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-abstained, Councilor Yellowbank-no, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to adopt Tribal Resolution Odawa Casino Resort 2008 Liquor License.

Roll Call Vote: Councilor Harrington-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-abstained, Councilor Yellowbank-no, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Oldman to approve List A – Eligible for Citizenship dated October 16, 2007 for a total of 7.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Oldman to approve List B – Declination (Ineligible) dated October 16, 2007 for a total of 4.

Vote: 8 - Yes, 1 – No (Councilor Harrington), 0 - Abstained, 0 – Absent

Motion carried.

11:39 a.m. recess called.

11:45 a.m. Meeting reconvened

11:45 a.m. Public Comment: Rita Shananaquet spoke regarding Councilor McNamara comment on the Michigan Tribal Advocates report and concerns on how they used language such as "those Indians are getting away with everything, and do we now have to start "hunting Indians again". She agreed with Councilor McNamara that a letter should be sent asking for their apologies or our concerns on how the language was used, and that the Tribal Council should be sending a letter. Rita Shananaquet also spoke of the DEQ contract, and commented that she heard the Sage restaurant is not making money.

11:50 a.m. Public Comment closed.

Motion made by Treasurer Chingwa and supported by Councilor Harrington to accept Legislative Leader Law's verbal and written report with confidential information therein.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor McNamara to accept the Tribal Treasurer's verbal and written report for November 4, 2007.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

12:11 p.m. Lunch recess called.

1:47 p.m. Meeting reconvened.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to add to the agenda Appropriation of Additional Funds for 2007 Per Capita Distribution Budget in the amount of \$140,000 to come from prior period funds.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Oldman and supported by Councilor Yellowbank to appropriate \$140,000 to the 2007 distribution budget for \$500.00 per Tribal Member to come from Prior Period Funds.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Oldman and supported by Treasurer Chingwa to accept the Tribal Council Member reports given by Councilor McNamara Councilor Harrington, and Councilor Yellowbank.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Oldman to accept the Legislative Services Attorney Donna Budnick's verbal and written report.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor McNamara to allow Tribal Council attendance at the Spirit of Little River Grand Opening in November 2007.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

2:38 p.m. Recess called.

2:48 p.m. Meeting reconvened.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to table the Juvenile Justice draft statute until the next Tribal Council agenda.

Vote: 7- Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Harrington, Councilor McNamara)
Motion carried.

Motion made by Councilor Oldman and supported by Councilor Yellowbank to pass the Little Traverse Bay Bands of Odawa Indians Waganakising Odawak Statute Health Commission Statute.

Roll Call Vote: Councilor Harrington-no, Councilor Kiogima-no, Councilor McNamara-no, Councilor Mulholland-no, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to pass the Waganakising Odawak Housing Commission Statute.

Roll Call Vote: Councilor Harrington-no, Councilor Kiogima-no, Councilor McNamara-no, Councilor Mulholland-no, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

3:50 p.m. Public Comment opened: Roger Emery spoke regarding Commission Boards and Committees and how a lot of people do not know who is on them. Rita Shananaquet wants the Tribal Council to continue to pursue the Office of Commissioner, she was also concerned that Tribal Preference is not being followed and also talked regarding the Burial Fund.

3:55 p.m. Public Comment closed.

Motion made by Treasurer Chingwa and supported by Councilor Oldman to pass Waganakising Odawak Economic Development Commission Statute.

Roll Call Vote: Councilor Harrington-no, Councilor Kiogima-no, Councilor McNamara-no, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Oldman and supported by Councilor McNamara to table the Commission Boards and Committees and Tribal Notary draft statute until the next Tribal Council agenda.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Oldman to adjourn at 5:04 p.m.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

These Minutes have been read and approved as written:

Approved:

Regina Gasco Bentley, Tribal Council Secretary

Date